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15 Attorneys for Defendant  
16 GOLDEN STATE SUPPLY, LLC

17 UNITED STATES DISTRICT COURT  
18  
19 NORTHERN DISTRICT OF CALIFORNIA

20 ARCHIE LEE GATES,

21 Plaintiff,

22 v.

23 CARQUEST CORPORATION, AND GOLDEN  
24 STATE SUPPLY, LLC,

25 Defendant.

Case No. 3:10-CV-00972 BZ

**JOINT STIPULATION AND  
[PROPOSED] ORDER RE: DISMISSAL  
WITH PREJUDICE OF ENTIRE  
ACTION**

26 Plaintiff, ARCHIE LEE GATES ("GATES") and Defendant GOLDEN STATE  
27 SUPPLY, LLC, ("GSS") jointly submit this Stipulation and [Proposed] Order requesting dismissal  
28 with prejudice of the above captioned action in its entirety pursuant to Rule 41(a)(1) of the Federal  
Rules of Civil Procedure. GATES previously dismissed Defendant CARQUEST from the action.

Defendant GOLDEN STATE SUPPLY, LLC. GATES and GSS reached a complete  
settlement of the GATES' claims against GSS in the above-captioned matter.

Thus, GATES and GSS, through their undersigned counsel, respectfully request that  
the Court enter this Stipulation as an Order.

**IT IS SO STIPULATED.**

STIPULATION AND [PROPOSED] ORDER  
RE: DISMISSAL WITH PREJUDICE

(NO. 3:10-CV-00972 BZ)

1 Each of the undersigned certify that the content of the foregoing document is  
2 acceptable to all persons required to sign the document and authorization to electronically sign this  
3 document has been obtained.

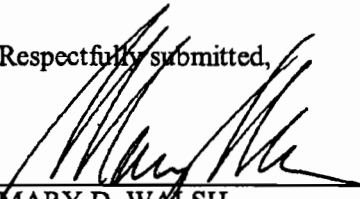
4 Dated: December 16, 2010

Respectfully submitted,

6   
7 ARCHIE LEE GATES  
8 PLAINTIFF


9 Dated: December 20, 2010

Respectfully submitted,

11   
12 MARY D. WALSH  
13 LITTLER MENDELSON, P.C.  
14 Attorneys for Defendant  
GOLDEN STATE SUPPLY, LLC

15 IT IS HEREBY ORDERED THAT, pursuant to this Stipulation, the above  
16 captioned action is dismissed in its entirety, and with prejudice.

17  
18 Dated: 21 Dec, 2010

19   
20 HONORABLE BERNARD ZIMMERMAN  
21 UNITED STATES MAGISTRATE JUDGE  
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STIPULATION AND [PROPOSED] ORDER  
RE: DISMISSAL WITH PREJUDICE